

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

# ORIGINAL

TPC OPERATING, LLC and LENNY DYKSTRA,

No. 08 Civ. 3912 (RB)

Plaintiffs,  
-against-

**NOTICE OF MOTION TO ADMIT  
COUNSEL *PRO HAC VICE***

**(DANIEL PETROCELLI)**

DOUBLEDOWN MEDIA, LLC and  
RANDALL LANE,

Electronically Filed

### Defendants.

DOUBLEDOWN MEDIA, LLC,

### **Counterclaimant,**

-against-

TPC OPERATIONS, LLC, LENNY DYKSTRA, TREND OFFSET PRINTING SERVICES, INC., MITCH SHOSTAK and SHOSTAK STUDIOS, INC..

#### **Counterclaim-Defendants.**

Pursuant to Local Civil Rule 1.3(c) of the Local Rules of the United States

District Court for the Southern District of New York, I, Edward D. Hassi, Esq., a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Daniel M. Petrocelli  
O'Melveny & Myers LLP  
1999 Avenue of the Stars, Suite 700  
Los Angeles, CA 90067  
(310) 553-6700  
(310) 246-6779 (facsimile)  
[dpetrocelli@omm.com](mailto:dpetrocelli@omm.com)

for purposes of appearing on behalf of Plaintiffs and Counterclaim-Defendants TPC Operations, LLC and Lenny Dykstra.

In support of this application, annexed hereto are the Affidavit of Edward D. Hassi, Esq., the Declaration of Daniel M. Petrocelli, Esq., and a Certificate of Good Standing from the Supreme Court of California verifying that Mr. Daniel M. Petrocelli is a member in good standing of the California bar. This motion is also accompanied by payment to the Clerk of this Court of the total fee of twenty-five dollars (\$25.00). No brief is necessary in support of this motion since it raises no issues of law and the relief sought is wholly within the Court's discretion.

A proposed Order is attached.

Dated: New York, New York  
May 23, 2008

O'MELVENY & MYERS LLP

By:   
Edward D. Hassi, Esq.

Times Square Tower  
7 Times Square  
New York, New York 10036  
Telephone: (212) 326-2000  
Facsimile: (212) 326-2061  
ehassi@omm.com

*Attorneys for Plaintiffs /  
Counterclaim-Defendants*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TPC OPERATING, LLC and LENNY  
DYKSTRA,

Plaintiffs,  
-against-

DOUBLEDOWN MEDIA, LLC and  
RANDALL LANE,

Defendants.

No. 08 Civ. 3912 (RB)

**[PROPOSED] ORDER ADMITTING  
PLAINTIFFS' COUNSEL *PRO HAC VICE***

Electronically Filed

DOUBLEDOWN MEDIA, LLC,

Counterclaimant,  
-against-

TPC OPERATIONS, LLC, LENNY  
DYKSTRA, TREND OFFSET PRINTING  
SERVICES, INC., MITCH SHOSTAK and  
SHOSTAK STUDIOS, INC.,

Counterclaim-Defendants.

NOW, upon the Motion of Plaintiffs and Counterclaim-Defendants TPC Operations, LLC and Lenny Dykstra ("Plaintiffs"), the annexed Affidavit of Edward D. Hassi, Esq., and the Declaration of Daniel M. Petrocelli, Esq.:

IT IS ORDERED that Daniel M. Petrocelli is hereby permitted to appear in this action *pro hac vice* on behalf of Plaintiffs. A notation of Daniel M. Petrocelli, for O'Melveny & Myers LLP, located at 1999 Avenue of the Stars, Seventh Floor, Los Angeles, CA 90067-6035, will be made on the roll of attorneys for the above-captioned case.

Dated: May \_\_, 2008  
New York, New York

SO ORDERED:

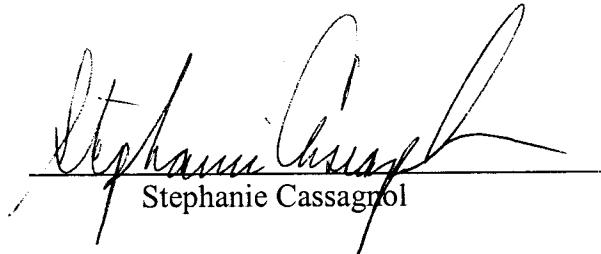
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Honorable Richard M. Berman  
United States District Judge

**CERTIFICATE OF SERVICE**

I, Stephanie Cassagnol, hereby certify, under penalty of perjury pursuant to 28 U.S.C. § 1746, that on this 30<sup>th</sup> day of May, 2008, I served a true and correct copy of (1) the Motion of Plaintiffs to Admit Counsel *Pro Hac Vice*; (2) the Affidavit of Edward D. Hassi in support of Plaintiffs' Motion for *Pro Hac Vice* admission; (3) the Declaration of Daniel M. Petrocelli in support of Plaintiffs' Motion for *Pro Hac Vice* admission; and (4) Proposed Order Admitting Plaintiffs' Counsel *Pro Hac Vice*, via Federal Express on the following counsel of record for Defendants, Doubledown Media, LLC and Randall Lane:

Bruce R. Ewing, Esq.  
Helene M. Freeman, Esq.  
Marc. S. Reiner, Esq.  
Dorsey & Whitney LLP  
250 Park Avenue  
New York, New York 10177  
(212) 415-9200



Stephanie Cassagnol

A handwritten signature in black ink, appearing to read "Stephanie Cassagnol". It is written in a cursive, flowing style with some variations in letter height and thickness.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TPC OPERATING, LLC and LENNY  
DYKSTRA,

Plaintiffs,

-against-

DOUBLEDOWN MEDIA, LLC and  
RANDALL LANE,

Defendants.

No. 08 Civ. 3912 (RB)

**AFFIDAVIT OF EDWARD D. HASSI IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR *PRO HAC VICE* ADMISSION**

Electronically Filed

DOUBLEDOWN MEDIA, LLC,

Counterclaimant,

-against-

TPC OPERATIONS, LLC, LENNY  
DYKSTRA, TREND OFFSET PRINTING  
SERVICES, INC., MITCH SHOSTAK and  
SHOSTAK STUDIOS, INC.,

Counterclaim-Defendants.

EDWARD D. HASSI, ESQ., being duly sworn, deposes and says:

1. I am a partner at the law firm of O'Melveny & Myers LLP ("O'Melveny"), counsel for Plaintiffs and Counterclaim-Defendants TPC Operations, LLC and Lenny Dykstra ("Plaintiffs") in this action. I respectfully submit this affidavit in support of Plaintiffs' motion, pursuant to Local Civil Rule 1.3(c) of the Local Civil Rules of this Court, for an order granting Daniel M. Petrocelli admission *pro hac vice* to the bar of the United States District Court of the Southern District of New York in order to argue or try the above-captioned case.

2. I am a member in good standing of the bar of this Court.

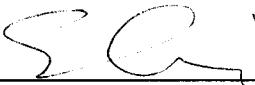
3. Daniel M. Petrocelli is a member in good standing of the bar of the state of California and is a partner with the law firm of O'Melveny & Myers LLP.

4. I agree to act as local counsel for Daniel M. Petrocelli and to observe the rules of this Court governing the conduct of attorneys.

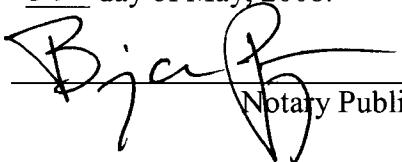
5. Mr. Petrocelli has been retained by Plaintiffs due to his special knowledge and expertise with respect to the issues raised in this action. Mr. Petrocelli is seeking admission *pro hac vice* to try the above-captioned action because he is well-versed in the relevant facts and legal issues of the case and can provide Plaintiffs with excellent legal representation.

6. Based upon my knowledge of Mr. Petrocelli, I know that he will conduct himself in the manner required of attorneys admitted to practice in this Court *pro hac vice* and request that he be allowed to practice *pro hac vice* for the purposes of acting as counsel for Plaintiffs.

7. Mr. Petrocelli understands and accepts the duties and requirements of admission *pro hac vice* in this Court.

  
Edward D. Hassi

Sworn to before me this  
22 day of May, 2008.

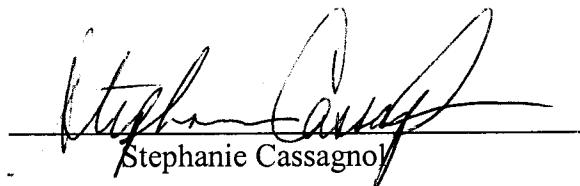
  
\_\_\_\_\_  
Notary Public

BENJAMIN PETROSKY  
NOTARY PUBLIC, State of New York  
No. 022261562  
Qualified in New York County  
Commission Expires February 24, 2011

**CERTIFICATE OF SERVICE**

I, Stephanie Cassagnol, hereby certify, under penalty of perjury pursuant to 28 U.S.C. § 1746, that on this 30<sup>th</sup> day of May, 2008, I served a true and correct copy of (1) the Motion of Plaintiffs to Admit Counsel *Pro Hac Vice*; (2) the Affidavit of Edward D. Hassi in support of Plaintiffs' Motion for *Pro Hac Vice* admission; (3) the Declaration of Daniel M. Petrocelli in support of Plaintiffs' Motion for *Pro Hac Vice* admission; and (4) Proposed Order Admitting Plaintiffs' Counsel *Pro Hac Vice*, via Federal Express on the following counsel of record for Defendants, Doubledown Media, LLC and Randall Lane:

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Marc. S. Reiner, Esq.  
Dorsey & Whitney LLP  
250 Park Avenue  
New York, New York 10177  
(212) 415-9200



Stephanie Cassagnol

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TPC OPERATING, LLC and LENNY  
DYKSTRA,

Plaintiffs,

-against-

DOUBLEDOWN MEDIA, LLC and  
RANDALL LANE,

Defendants.

No. 08 Civ. 3912 (RB)

**DECLARATION OF DANIEL M.  
PETROCELLI IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
*PRO HAC VICE* ADMISSION**

Electronically Filed

DOUBLEDOWN MEDIA, LLC,

Counterclaimant,

-against-

TPC OPERATIONS, LLC, LENNY  
DYKSTRA, TREND OFFSET PRINTING  
SERVICES, INC., MITCH SHOSTAK and  
SHOSTAK STUDIOS, INC.,

Counterclaim-Defendants.

Daniel M. Petrocelli hereby declares as follows:

1. I am a member of the law firm of O'Melveny & Myers LLP.
2. I respectfully submit this declaration in support of the motion for my admission to practice *pro hac vice* in the above-captioned matter.
3. As shown by the attached Certificate of Good Standing issued by the Clerk of the Supreme Court of California, I am a member in good standing of the bar of California.
4. There are no pending disciplinary proceedings against me in any state or federal court.

5. Wherefore, I respectfully submit that I be admitted *pro hac vice* to the bar of this Court for the purposes of appearing on behalf of Plaintiffs and Counterclaim-Defendants TPC Operating, LLC and Lenny Dykstra in the above-captioned proceedings.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: May 2, 2008



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Daniel M. Petrocelli  
O'MELVENY & MYERS LLP  
1999 Avenue of the Stars, Seventh Floor  
Los Angeles, CA 90067-6035  
Tel: (310) 553-6700  
Fax: (310) 246-6779



**THE STATE BAR  
OF CALIFORNIA**

**MEMBER SERVICES CENTER**

---

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 5, 2008

TO WHOM IT MAY CONCERN:

In accordance with your request, please find enclosed the form of certificate you require.

If this certificate includes disciplinary matters, and if you want additional information concerning that discipline, you may request copies of those records from the State Bar Court in our Los Angeles office. Call 213-765-1418 for further information.

\* Please note that effective October 2005, the request for 5 certificates has changed; for a fee of \$25.00, you may request a maximum of 3 certificates per member.

RECORDS DEPARTMENT

KL:ms  
Enclosure



**THE STATE BAR  
OF CALIFORNIA**

**MEMBER SERVICES CENTER**

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 5, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, DANIEL MARIO PETROCELLI, #097802 was admitted to the practice of law in this state by the Supreme Court of California on May 29, 1981; that at his request, on March 26, 1986, his name was changed to DANIEL M. PETROCELLI on the records of the State Bar of California; that he has been since the date of admission, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

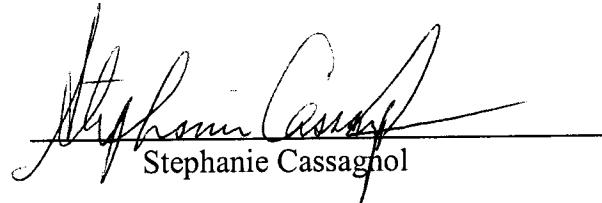
A handwritten signature in black ink, appearing to read "Kath Lambert".

Kath Lambert  
Custodian of Membership Records

**CERTIFICATE OF SERVICE**

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